1 Karen M. Klaver F0241 Heather L Kennedy F0246 C.N.M.I. Public School System P.O. Box 1370 CK 3 Saipan, MP 96950 4 Telephone: (670) 237-3046 Fax:(670) 664-3713 5 6 Attorneys for: CNMI Public School System 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS 9 10 LISA S. BLACK, CIVIL ACTION NO. 05-0038 11 Plaintiff, 12 13 VS. 14 JIM BREWER, individually and in his **DEFENDANT CNMI PUBLIC** official capacity as Acting Principal for) SCHOOL SYSTEM'S THIRD 15 Hopwood Junior High School, MOTION IN LIMINE TO EXCLUDE COMMONWEALTH OF THE NORTHERN) REFERENCES REGARDING 16 MARIANA ISLANDS PUBLIC SCHOOL ALLEGED DISCRIMINATORY SYSTEM, and JOHN AND/OR JANE DOE, ACTS AND/OR COMMENTS AND 17 ANY COMPLAINTS AGAINST 18 Defendants. **DEFENDANT BREWER** 19 MOTION IN LIMINE TO EXCLUDE ALL REFERENCES REGARDING ALLEGED 20 DISCRIMINATORY ACTS AND/OR COMMENTS AND ANY COMPLAINTS AGAINST DEFENDANT BREWER 21 22 Comes now the CNMI Public School System (PSS), through Counsels, and moves this 23 Court to issue an order excluding all references by parties, attorneys and witnesses, including all 24 direct and indirect forms of communications, including pleadings, questions, testimony, remarks 25 and arguments, regarding the following: 26 1. any comments by Defendants regarding race, ethnicity, or national origin; 27

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- any complaints and/or grievances, other than Plaintiff's grievance, against
 Defendant Brewer, including any Equal Employment Opportunity Commission
 (EEOC) charges; and
- 3. allegations of discrimination of any kind by Defendants.

WHEREFORE, Defendant PSS requests that the court exclude all such evidence and testimony pursuant to Fed.R. Evid. 402, 403, and 404(b) because the information is irrelevant and if marginally relevant is prejudicial and misleading and is impermissible character evidence as stated in the attached supporting memorandum.

Submitted this 7th day of February, 2007.

Heather L. Kennedy F0246
Karen M. Klaver F0241
Attorneys for the Public School System